

GOVERNMENTAL AGENCY (pursuant to Welf. & Inst. Code, §§ 11475.1, 11478.2): <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO.:</div> <div>FAX NO.:</div> </div> ATTORNEY FOR (Name): 	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT: <div style="display: flex; justify-content: center; gap: 20px;"> <input type="checkbox"/> MOTHER <input type="checkbox"/> FATHER </div>	
<div style="display: flex; justify-content: space-between;"> <div> SUMMONS AND <input type="checkbox"/> COMPLAINT <input type="checkbox"/> AMENDED COMPLAINT </div> <div> <input type="checkbox"/> SUPPLEMENTAL COMPLAINT REGARDING PARENTAL OBLIGATIONS </div> </div>	
CASE NUMBER:	

TO (name):

The district attorney's office has filed this lawsuit against you. This lawsuit says you are the parent of each child named in this complaint and that you may be required to pay child support. The attached proposed *Judgment Regarding Parental Obligations* (form 1299.13) names you as a parent of each child listed below and, if there is an amount stated in item 6, orders you to pay support for these children. If you disagree with the proposed judgment, you must file the attached answer form with the court clerk within 30 days of the date that you were served with this complaint. **If you do not file an answer, the proposed judgment will become final and payments may be taken from your pay or other property without further notice.** See the attached statement of your rights and responsibilities for more information.

1. The district attorney is asking the court to issue judgments or orders for these children starting on the "Beginning Date":

<u>Name</u>	<u>Date of Birth</u>	<u>Establish Parentage</u>	<u>Establish Support</u>	<u>Modify Order</u>	<u>Beginning Date</u>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

☐ Additional children are listed on a page (labeled Attachment 1) attached to this complaint.

2. a. The parents of the children named in item 1 are Mother (name):

Father (name):

b. ☐ Defendant is named as the father of the children listed in item 1 in the declaration of paternity on file with

(1) ☐ _____ County district attorney.

(2) ☐ _____ County welfare department.

c. ☐ A Voluntary Declaration of Paternity signed by mother and father is on file with the California Department of Social Services.

d. The Obligor (the parent asked to pay support) is ☐ Petitioner/Plaintiff ☐ Respondent/Defendant

☐ Other parent

3. a. ☐ Some or all of the children named in item 1 are receiving or have received public assistance from the following counties (specify):

b. ☐ Date public assistance first paid:

4. Other (specify):

	<p>Notice to person served: You are served</p> <p>1. <input type="checkbox"/> as an individual defendant.</p> <p>2. <input type="checkbox"/> on behalf of a minor child or children.</p> <p>3. <input type="checkbox"/> other (specify):</p> <p style="text-align: right;">Clerk, by _____, Deputy</p> <p>Date: _____</p> <p style="text-align: right;">(Continued on reverse)</p>
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PETITIONER/PLAINTIFF:	CASE NUMBER:
RESPONDENT/DEFENDANT:	
OTHER PARENT:	

THE DISTRICT ATTORNEY REQUESTS

5. ☐ That the court determine that the persons listed in item 2 are the parents of the children as requested above.
6. ☐ Based on the California support guideline, that the court order the Obligor to pay
- a. ☐ \$ current monthly child support based on the Obligor's known income of: \$ per month, and, if applicable, the other parent's known income of: \$ per month.
- b. ☐ \$ current monthly child support based on the Obligor's presumed income as provided by law.
- c. ☐ \$ additional monthly child support for the following reasons (*specify*):
- d. ☐ \$ child support from the beginning dates specified in item 1 through ☐ the end of the month in which this complaint is filed ☐ date (*specify*):
for the following children (*specify*):
7. ☐ Other (*specify*):
8. ☐ That the court order the Obligor to provide health insurance for each child named in item 1 and to complete the attached health insurance form and immediately return it to the office of the district attorney at the address printed in the top left corner of page one, and that a Health Insurance Coverage Assignment Order be issued. NOTICE: Your employer will be ordered to enroll the children in an appropriate health insurance plan if you are found to be the parent. (Fam. Code, § 3761.)
9. That a wage and earnings assignment be ordered.
10. That the court order the parents to complete a *Child Support Case Registry Form* (form 1285.92) and send (deliver or mail) it to the district attorney within 10 days.
11. That the court order the Obligor to make all payments to (*specify*):

This case may be referred to a court commissioner for hearing. By law, court commissioners do not have the authority to issue final orders and judgments in contested cases unless they are acting as temporary judges. The court commissioner in your case will act as a temporary judge unless, *before the hearing*, you or any other party objects to the commissioner acting as a temporary judge. The court commissioner may still hear your case to make findings and recommendations to a judge about your case. However, if you object to the commissioner's acting as a temporary judge, an order will not be made until a judge reviews your case.

Date:

..... (TYPE OR PRINT NAME)



..... (DISTRICT ATTORNEY BY PROSECUTING ATTORNEY)

NOTICE
IF YOU WANT LEGAL ADVICE, CONTACT A LAWYER IMMEDIATELY.
A Statement of Rights is attached to this document. Please read it carefully.

(Continued on page three)

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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STATEMENT OF RIGHTS AND RESPONSIBILITIES

NOTICE TO THE PARENT ASKED TO PAY SUPPORT (OBLIGOR)

The district attorney has sued you to determine whether you are the parent and must pay child support. The district attorney does not represent any individual in this lawsuit, including the other parent, the children, or you. Carefully read this statement and the other papers that you received.

You have the right to be represented by a lawyer. If you do not have enough money for a lawyer, you may ask the court to appoint a lawyer to represent you in this case if you dispute you are the parent of the children named on the first page of this form. You must file your Answer with the court clerk within 30 days of the date you were served with the Complaint whether or not you obtain an attorney.

☐ Other information about court-appointed lawyers (*specify*):

A blank Answer form is included in the papers that were served on you. If you did not receive an Answer form or if you would like another copy, you may get one from the district attorney's office, the court clerk's office, or the Family Law Facilitator. The Family Law Facilitator can also help you to fill out the Answer.

You may contact the district attorney to try to work out an agreement. However, you must still file an Answer within 30 days. If you and the district attorney can agree regarding the requests made in the Complaint, you may sign a settlement agreement called a STIPULATION. By signing a stipulation you are agreeing to give up your rights explained in this statement and you are agreeing to the following: (1) you are the parent of the children listed in the Complaint; (2) you are obligated to pay support as stated in the stipulation; (3) you agree to all of the terms of the stipulation; and (4) the court will order you to obey the stipulation without further notice.

All orders for support must contain a provision for a wage and earnings assignment. This assignment will require your employer or other payor to deduct support payments from your salary or earnings and send the payments to the district attorney's office. Your employer may also be required to enroll your children in a health insurance plan and deduct the cost from your salary or earnings.

If you file your Answer, you have the right to a court hearing, to ask questions of any witness against you, to subpoena witnesses, and to present evidence on your behalf. You also have the right to ask the court to decide how much you will pay for support under the California guideline. If you deny that you are the parent of the child(ren), you may be scheduled for parentage blood tests. If you refuse to submit to the testing the court may determine that you are the parent anyway. If you are determined to be the parent, the court may order you to pay for the tests.

The proposed judgment will be entered against you unless you file your written Answer (form 1299.04) with the court clerk within 30 days of the date you were served with the Complaint. The proposed judgment will be entered whether or not you have a lawyer. If you were served with a form telling you the date of a court hearing, you should go to court on that date. An order may be entered without your input if you do not attend the hearing.

(Continued on reverse)

PETITIONER/PLAINTIFF:	CASE NUMBER:
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OTHER PARENT:	

Any amounts you owe from a prior time may be collected from any of your property, whether or not you are current in your installment payments. Collection may be made by taking money owed to you by the state or federal government (such as tax refunds, unemployment and disability benefits, and lottery winnings), by taking property you own, by placing a lien on your property, or by any other lawful means. You may be fined or imprisoned if you fail to pay support as ordered.

NOTICE TO THE "OTHER PARENT"

The district attorney does not represent any individual in this lawsuit, including you.

If you requested or are receiving services from the district attorney's office you will become a party to the lawsuit filed by the district attorney after the initial support order, or an order for medical support only, is entered by the court. You and the other parent may then raise issues concerning support, custody, visitation, and restraining orders (domestic violence). You may not raise any other issue in this action. Once you become a party, you can go to court to modify your court order, but you must first properly notify the district attorney. You can also go to court to enforce your support order if you first notify the district attorney and give the district attorney 30 days to tell you that you cannot file your own enforcement action because the district attorney is actually taking steps to enforce your order. If the district attorney does not respond to your notice within 30 days or if the district attorney notifies you that you can proceed, you may then file your own enforcement action as long as all support is paid through the district attorney's office.

You should tell the district attorney everything you know about the Obligor's earnings and assets. If you receive welfare, the district attorney may agree to settle any parentage or support issues in this lawsuit without letting you know in advance. If you do not receive welfare, the district attorney cannot settle any support issue without your

consent. The district attorney also cannot negotiate, settle, or contest any issues of custody, visitation, or restraining orders.

NOTICE TO BOTH PARENTS

If the district attorney does not know how much money the parent asked to pay support (Obligor) earns, he or she is presumed to earn enough money to pay the amounts stated in item 6 of the proposed judgment.

This case may be referred to a court commissioner for hearing. By law, court commissioners do not have the authority to issue final orders and judgments in contested cases unless they are acting as temporary judges. The court commissioner in your case **will** act as a temporary judge unless, **before the hearing**, you or any other party objects to the commissioner's acting as a temporary judge. The court commissioner may still hear your case to make findings and recommendations to a judge about your case. However, if you object to the commissioner's acting as a temporary judge, an order will not be made until a judge reviews your case.

You can object to the commissioner's acting as a temporary judge in two ways: (1) by telling the commissioner in court at the start of your hearing, or (2) by delivering a written objection to the court clerk. You must object **before** the hearing in your case begins. You do not have to give a reason for your objection.